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CHANDIGARH ADMINISTRATION
LABOUR DEPARTMENT

Notification

The 1st April, 2026

No. 621860-HII(2)-2026/3622.—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL) dated 28.7.2004, the undersigned hereby publish the following award bearing reference **No. 37/2025 dated 16.01.2026** delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between :

SURJEET KUMAR, R/O H.NO. 3100, MALOYA COLONY, CHANDIGARH. (WORKMAN)

AND

1. M/S BHARAT ELECTRICAL WORKS MANPOWER, #1115, BADAL COLONY, ZIRAKPUR, DISTRICT SAS NAGAR, PUNJAB (THROUGH ITS MANAGING DIRECTOR / PARTNER / PROPRIETOR).

2. CHIEF ENGINEER, PUBLIC HEALTH DIVISION NO. 5, ROOM NO. 117, OLD DELUXE BUILDING, SECTOR 9, CHANDIGARH. (MANAGEMENT)

AWARD

1. Workman Surjeet Kumar has presented the Industrial Dispute in hand under Section 2A(2) of the Industrial Disputes Act, 1947 *(here-in-after in short called 'ID Act').*

2. Briefly stated, on 01.07.2024 the workman was appointed as Safai Karamchari by management No.1 and deployed at the work place of management No.2. He remained in continuous and uninterrupted employment up to 01.07.2024 when his services were illegally & wrongly terminated by refusing of work. At the time of termination, he was drawing ` 21,600/- per month as wages. He was not given salary on time and the same was released after repeated requests. The workman was compelled to work in the residence of the officers and when he objected to the same he was threatened that his services will be terminated. The workman complained about the whole matter to the Area Labour Inspector on 01.04.2024. The Area Labour Inspector summoned the management but the management never appeared before him and did not provide any record. The salary for the month of March, 2023 was not given to the workman by the contractor, which was in the knowledge of management No.2, but management did not intervene in the matter. The contractor again did not

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pay his salary for the month of June, 2024 and terminated his services without any reason w.e.f. 01.07.2024. Action of the contractor-management No.1 is illegal, wrongful, motivated and against the principles of natural justice as well as unfair labour practice. For his reinstatement the workman lodged complaint with the Labour Inspector, U.T. Chandigarh but the matter could not be settled. Refusal of work amounts to termination is retrenchment under Section 2(oo) of the ID Act. The management has also violated Section 25F of the ID Act. No charge sheet was issued, no inquiry was held and the workman was not paid retrenchment compensation at the time of termination. The management had retained junior person and also appointed new person in his place. The management has violated Section 25G & 25H of the ID Act. For his reinstatement, the workman served upon the management a demand notice dated 15.01.2024. The management neither denied the contents of the demand notice nor took the workman back on duty. The Assistant Labour Commissioner-cum-Conciliation Officer, U.T. Chandigarh was requested for his intervention. The Conciliation Officer intervened but the dispute could not be settled within stipulated period. A prayer was made for reinstatement with continuity of service, full back wages as the workman remained unemployed during the period i.e. from date of termination till date, and without any change in his service condition.

3. Upon notice, none appeared on behalf of management No.1 despite service. Management No.1 was proceeded against ex-parte vide order dated 18.08.2025. On the next date of hearing i.e. 16.09.2025 Shri Anand Sharma - Proprietor for management No.1 moved an application for setting aside ex-parte order dated 18.08.2025.

4. Notice sent to management No.2 was received back with the report of 'wrong address'.

5. On 01.12.2025 none appeared on behalf of the both the parties and the case was fixed for awaiting appearance of both the parties for today i.e. 16.01.2026.

6. Today i.e. 16.01.2026 none appeared on behalf of both the parties.

7. I have gone through the case file. In the case in hand, as per claim of the workman, he was appointed by the management No.1 as Safai Karamchari and deployed at the work place of management No.2 and his services were terminated by the management on 01.07.2024. The workman is aggrieved that his services were verbally terminated by the management in violation of provisions of Section 25F, 25G & 25H of the ID Act. However, none has appeared on behalf of the workman as well as management on 01.12.2025 as well as today. It seems that the parties are not interested in perusing the matter. Accordingly, the industrial dispute in hand stands declined for want of prosecution. Appropriate Government be informed accordingly. File be consigned to records after due compliance.

(Sd.) . . .,

Dated : January 16, 2026

(MANISHA JAIN)
UID No.PB0158
PRESIDING OFFICER,
Industrial Tribunal & Labour Court,
Union Territory, Chandigarh.

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CHANDIGARH ADMINISTRATION
LABOUR DEPARTMENT

Notification

The 1st April, 2026

No. 628520-HII(2)-2026/3633.—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL) dated 28.7.2004, the undersigned hereby publish the following award bearing reference **No. 7/2023 dated 20.02.2026** delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between :

PAPPU RAJ S/O SH. KAMLESHWARI RAJAK, R/O # 2055A, SMALL FLATS, DHANAS, CHANDIGARH. (WORKMAN)

AND

1. GOVERNMENT INDUSTRIAL TRAINING INSTITUTE FOR WOMEN, THROUGH ITS PRINCIPAL, SECTOR 11, CHANDIGARH.
2. M/S EAGLE EYE SECURITY & HOUSE KEEPING, THROUGH ITS PROPRIETOR, # 662/1, GHATI ROAD, PUNJABI BASTI, ANAND PARBAT, NEW DELHI – 110005.
3. M/S WORK POWER FACILITY MANAGEMENT, THROUGH ITS PROPRIETOR, C/O THE PRINCIPAL, GOVERNMENT INDUSTRIAL INSTITUTE FOR WOMEN, SECTOR 11, CHANDIGARH. (MANAGEMENT)

AWARD

1. Workman Pappu Raj has presented Industrial Dispute in hand under Section 2A(2) of the Industrial Disputes Act, 1947 *(here-in-after in short called 'ID Act').*

2. Briefly stated, the workman was orally engaged by management No.1 w.e.f. December, 2011 as Malli. His last drawn wages were ` 14,133/- per month. The principal employer i.e. management No.1 with mala fide intentions had shown the name of the workman and other co-workers under the alleged contractors whereas he had worked under the direct control & supervision of the management. On 05.03.2022, the principal employer and the contractor refused to allow duty to the workman. He was not issued any memo, charge sheet and no inquiry was conducted before termination. He was not offered notice pay in lieu of notice period and compensation. Job of the workman still exists and juniors to him were retained in service. The management has violated Section 25F, 25G & 25H of the ID Act. Prayer was made that the workman may be reinstated into service with continuity of service, full back wages.

3. Management No.1 contested the claim of the workman by filing written statement raising preliminary objections inter alia that the Chandigarh Administration, Finance Department vide its letter No.27/4/9-UTFII(12)-2014/9421 dated 07.11.2014 has decided as policy matter that all the Group 'D' posts as and when fallen vacant would be filled up through outsourcing after following proper procedure. In pursuance to the abovesaid policy

dated 07.11.2014, the answering management had floated the tender on the GeM Portal for hiring outsourcing contractor, after obtaining necessary permission from the competent authority i.e. Director Technical Education, Chandigarh. After finalization of the bidding process on GeM Portal, the management has executed contract from 01.10.2020 to 05.09.2021 with management No.2 i.e. M/s Eagle Eye Security and Housekeeping. Management No.2 had deployed the workman on 08.02.2021 vide deployment order dated 08.02.2021. Thereafter, the contract was further extended with management No.2 on the same terms & conditions till 04.03.2022 and contract with management No.2 was terminated with efflux of time. After finalization of new bidding process on GeM Portal, management No.3 was awarded contract. The answering management had executed contract from 05.05.2022 to 04.05.2023 between management No.3 for providing the manpower on outsource basis. No relationship of employer and employee ever existed between the workman and answering management. The workman has not impleaded the Director Technical Education, U.T. Chandigarh as party as the same is competent authority and is necessary party for the claim.

4. On merits, it is stated that the workman was engaged by management No.2 as per contract dated 24.09.2020. Neither any appointment letter was ever issued nor his services were terminated by the answering management. Remaining averments of the claim statement were denied and prayer was made for dismissal of the claim statement qua management No.1.

5. Management No.2 contested the claim of the workman and filed written reply raising preliminary objections inter alia that management No.1 – Government Industrial Training Institute for Women was the principal employer and the workman was working for management No.1. Management No.2 was engaged by management No.1 for specific period. Thereafter, management No.1 had engaged management No.3 i.e. M/s Work Power Facility Management (OPC) Private Limited and management No.2 never terminated the workman during its contract period. Prayer was made for dismissal of the claim qua management No.2.

6. None appeared on behalf of management No.3 despite notice as such management No.3 was proceeded against ex-parte vide order dated 26.02.2024.

7. The workman filed separate replications to the written statement / reply filed by management No.1 and 2 wherein he reiterated the contents of the application and denied the averments made by management No.1 & 2 in their written statement / reply.

8. From the pleadings of the parties, following issues were framed vide order dated 08.08.2024:-

1. Whether the termination of the services of the workman is illegal ? If so, to what effect and what relief he is entitled to ? OPW

2. Whether there is no relationship of employer-employee between management No.1 and workman ? OPM (management No.1)

3. Whether the claim statement is bad for non-joinder of party ? OPM (management No.1)

4. Relief.

9. Thereafter, both the parties were called upon to lead their respective evidence.

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10. In evidence of the workman, the workman examined summoned witness Jai Kumar – Instructor, O/o Government Industrial Training Institute for Women, Sector 11, Chandigarh as AW1, who brought the summoned record and placed on record documents :-

Copy of awarding of contract bearing Memo No.GITIW/ Outsource F223/2022/1338 dated 05.05.2022	**Exhibit 'W1'**
Copy of order passed by Superintendent (G-II) for Director Technical Education, Chandigarh regarding revision of DC Rates	**Exhibit 'W2'**
Copy of order bearing Endst. No. DC/DN/F-20/2022/12733 dated 10.06.2022 passed by D.C. Chandigarh regarding revision of D.C. Rate for the period 01.04.2022 to 31.03.2023	**Exhibit 'W3'**
Copy of bill bearing Invoice No.052 dated 04.07.2022 vide Exhibit submitted by contractor i.e. Work Power Facility Management OPC. Pvt. Ltd.	**Exhibit 'W4'**
Copy of office order No.353 dated 28.07.2022 regarding payment of wages of Principal, Govt. Industrial Training Institute for Women, Sector 11, Chandigarh	**Exhibit 'W5'**

11. The workman failed to conclude its evidence despite availing several opportunities including last opportunity. Today i.e. on 20.02.2026 neither the workman nor anyone on his behalf has appeared.

12. Case file perused. In the case in hand, as per claim of the workman, the workman was aggrieved that his services were terminated illegally by the management. The workman did not step into the witness box to substantiate his claim. Today, none appeared on behalf of the workman. It seems that the workman is not interested in perusing the matter. Accordingly, the industrial dispute in hand stands declined for want of prosecution. Appropriate Government be informed accordingly. File be consigned to records after due compliance.

(Sd.) . . .,

Dated : February 20, 2026

(MANISHA JAIN)
UID No.PB0158
PRESIDING OFFICER,
Industrial Tribunal & Labour Court,
Union Territory, Chandigarh.

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CHANDIGARH ADMINISTRATION
LABOUR DEPARTMENT

Notification

The 1st April, 2026

No. 621854-HII(2)-2026/3624.—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL) dated 28.7.2004, the undersigned hereby publish the following award bearing reference **No. 91/2021 dated 30.01.2026** delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between :

ASHOK KUMAR, H. NO. 109, VILLAGE BHAGWANPUR, P.O. BAHRAI, DISTRICT PANCHKULA. (WORKMAN)

AND

M/S DESH SEWAK PRINTERS LIMITED, SECTOR 29-D, CHANDIGARH THROUGH ITS GENERAL MANAGER. (MANAGEMENT)

AWARD

1. Workman Ashok Kumar has presented the Industrial Dispute in hand under Section 2A(2) of the Industrial Disputes Act, 1947 *(here-in-after in short called 'ID Act').*

2. Briefly stated, the workman was appointed as Foreman in printing section in the month of October, 1998. He was in continuous & uninterrupted employment of the management up to 02.05.2020 when his services were illegally & wrongly terminated vide letter No. Nil dated 02.05.2020. At the time of termination, he was drawing ` 16,349/- per month. He was elected President of the Desh Sewak Employees Union (Regd.) and used to espouse the case of the workers in the press. The management of the press did not relish his trade union activities and was founding means for his termination. The workman was placed under suspension vide letter No.DS/2016/547 dated 14.09.2016 on the alleged charge of threatening the Editor of Daily Desh Sewak, following show cause notice. The suspension of the workman was revoked vide letter No.DS/2017/509 dated 21.12.2017. During the period of suspension, the workman was not issued any show cause notice and he was paid full wages for the suspension period. The workman as President of the Union lodged a complaint dated 04.12.2016 with the S. S. P., Chandigarh against the management of Desh Sewak Printers Limited and Desh Sewak Association for not depositing the provident fund contribution with the provident fund office after deducting the contribution from the salary of the workers. The allegations against the management was of cheating and fraud and nature of complaint was cheating to the tune of ` 20,00,000/-. The workman as President of the Union also lodged a complaint dated 01.11.2019 with the S.H.O., Industrial Area, Chandigarh against Shri Chetan Sharma - General Manager of the press, who called 14 workers one by one in his office and under threat, pressure & coercion got signatures of the workers on paper alleging therein that the signatories were not interest in the complaint dated 04.12.2018 and do not want to pursue the same anymore. The workman was again issued charge sheet-cum-notice for inquiry bearing No.DS/2020/164 dated 21.01.2020 on the alleged acts of serious misconduct, indiscipline and insubordination. The charge sheet was signed by one Shri Chetan Sharma of Desh Sewak on 18.01.2020. The management was in such a haste to terminate the service of the workman and appointed one Shri Inderjit Singh as Inquiry Officer on 25.12.2019, one month in advance of issuance of charge sheet, without waiting for the reply to the charge sheet. The workman was not informed by the Inquiry Officer about the date, time and place of inquiry. The Inquiry Officer conducted ex-parte inquiry against the workman on 27.01.2020. The notice of the alleged inquiry came to the knowledge of the workman when he was issued termination letter. He

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was not supplied the attested copies of the complaint, if any, and list of witnesses, on which the management wanted to reply upon. He was also not supplied the day to day proceedings of the alleged inquiry. The letter of termination was not signed by any authorised person. The Personnel Officer for Desh Sewak could not terminate the services of the workman as he was not the competent person was not the appointing authority of the workman and could not sign the termination letter for DeshSewak without any authorisation. No show cause notice was issued to the workman before termination. For his reinstatement, the workman served upon the management demand notice dated 21.01.2021. The management neither replied to the demand notice nor took the workman back on duty. The Assistant Labour Commissioner-cum-Conciliation Officer, U.T. Chandigarh was requested for his intervention. The respondent-management did not appear before the Conciliation Officer on any date fixed for settlement. The action of the management is illegal, wrong, motivated, against the principles of natural justice, unfair labour practice and a trade union victimization. The workman remained unemployed from the date of termination till date. A prayer was made for reinstatement of the workman with continuity of service, full back wages and without any change in his service conditions.

3. On notice, the management contested the claim statement and filed written reply stating that the present claim is devoid of any legitimate legal grounds or valid reasons. The workman had documented history of intimidating not only his co-workers but also the Editor of the Desh Sewak management. The workman himself acknowledged being placed under suspension by the previous management in the year 2016. All the prior managements of the respondent took lenient views and addressed the concerns by merely issuing warnings but the workman had always taken advantage of that situation. The recurrent pattern underscored the need for a comprehensive evaluation of the workman's behaviour and the necessity for appropriate measures to address any potential risks posed to the workplace environment. Despite previous interventions, the workman had persistently failed to rectify his behaviour thereby one again engaged in misconduct, indiscipline and insubordination and exhibited a blatant disregard for the proceedings by deliberately choosing not to respond to those notices. In accordance with the prescribed legal procedure, the management diligently adhered to the procedural requirements subsequent to issuing show cause notices to the workman. Following that, a charge sheet was duly served upon the workman providing him with ample opportunity to furnish a response but he failed to respond to the show cause notice, charge sheet and subsequent notice for inquiry. On 24.01.2020, the workman left his work and indulged himself in an unlawful strike, devoid of any discernible agenda and incited his co-worker and involved them in the said illegal action. The said action was very aggressive and with a sole intention to deliberately inflict harm upon the organisation and to pressurise the management to withdraw the inquiry / disciplinary proceedings against the workman. Despite numerous written and verbal requests, urging prompt return to work, the workers including the present workman persisted in their refusal to do so. Further, the workman along with other workers, obstructed the main gate, creating a situation of intimidation where anyone attempting to enter would be met with repercussions. In order to address that issue promptly the matter was formally reported to the Senior Superintendent of Police, Chandigarh vide letter dated 25.01.2020 with a copy of the same to S.H.O., Industrial Area, Phase - I, Chandigarh. The said incident was also formally reported to the Deputy Commissioner, Chandigarh, who further marked it to the Assistant Labour Commissioner, seeking immediate intervention. The management exercised patience and diligence in awaiting the participation of the workman in the disciplinary proceedings but despite repeated efforts and ample opportunity provided, the workman neither availed himself for the proceedings nor made any efforts to communicate with the management and he chose to abuse the legal process by filing the present claim statement. It is further submitted that the non-submission of E.P.F. was an internal dispute of the management with a private company i.e. M/s RDV Media Limited, to which the working of the management was outsourced. The EPF was regularly deposited by the management. A criminal complaint in that regard was filed by the management against M/s RDV Media Limited under Section 156(3) of Cr.PC, which was pending before the Learned Chief Judicial Magistrate, Chandigarh. Remaining averments of the claim statement were denied and it is prayed that the claim of the workman may be dismissed.

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4. Replication was not filed by the workman. From the pleadings of the parties, following issues were framed vide order dated 22.07.2024 :-

1. Whether the termination of the services of the workman is illegal, if so, to what effect and to what relief he is entitled to ?OPW

2. Relief.

5. Thereafter, both the parties were called upon to lead their respective evidence.

6. In evidence of the workman, workman himself appeared as AW1 and tendered his affidavit Exhibit 'AW1/A'. He also tendered into evidence copies of documents :-

Salary slip for the month of December, 2019	**Exhibit 'W1'**
Suspension letter bearing Ref. No.DS/2016/547 dated 14.09.2016	**Exhibit 'W2'**
Cancellation of suspension letter bearing Ref. No. DS/2017/599 dated 21.12.2017	**Exhibit 'W3'**
Complaint dated 04.12.2018 filed against the management before the Competent Authority	**Exhibit 'W4'**
Complaint dated 01.11.2019 filed by the Desh Sewak Employees Union against the management before the S.H.O., Police Station, Industrial Area, Chandigarh	**Exhibit 'W5'**
Charge sheet-cum-notice for inquiry bearing Ref. No.DS/2020/164 dated 21.01.2020 against the workman	**Exhibit 'W6'**
Letter dated 25.12.2019 regarding appointment of Inquiry Officer	**Exhibit 'W7'**
Dismissal order dated 02.05.2020	**Exhibit 'W8'**

Thereafter, Learned Representative for the workman closed the evidence in affirmative

7. In evidence of the management, Chetan Sharma appeared as MW1 and tendered his duly sworn-in affidavit Exhibit 'MW1/A' along with copies of documents:-

Complaint Ref. No.DS/2020/166 dated 25.01.2020 filed by Desh Sewak Daily to the SSP, Chandigarh	**Exhibit 'M1'**
Complaint Ref. No.DS/2020/167 dated 25.01.2020 filed by Desh Sewak Daily to the Labour Commissioner, Chandigarh	**Exhibit 'M2'**

Thereafter, the Learned Representative for the management closed the evidence.

8. I have heard the arguments addressed by Learned Representatives for the parties and gone through the case file carefully with their able assistance. My issue-wise findings are as under :-

Issue No. 1

9. The workman was required to prove the said issue.

10. Learned Representative for the workman submitted that the workman was elected President of the Desh Sewak Employees Union and was espousing the cases of the workers. The management was not happy and was founding means for his termination. In the year 2016 also, he was placed under suspension, however, his suspension was revoked and he was paid full wages for the suspension period. He submitted that

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again in the year 2020, he was issued charge sheet on the alleged charges of misconduct, indiscipline and insubordination and domestic inquiry was conducted against the workman. The inquiry conducted against the workman was not fair & proper and no reasonable opportunity was granted to him to defend himself. The termination based on defective inquiry is illegal. He prayed for reinstatement of the workman with continuity of service and full back wages.

11. On the other hand, Learned Representative for the management submitted that the workman had documented history of intimidating his co-workers. He was charge-sheeted for extending threats, intimidation and indiscipline. The workman failed to respond to show cause notice, charge sheet and notices issued to attend the inquiry proceedings. The inquiry conducted against the workman was fair & proper and conducted as per the procedure prescribed for the same. He prayed for dismissal of the claim of the workman.

12. However, before coming to any logical conclusion, it is necessary to discuss the evidence led by both the parties.

13. The workman while stepping into the witness box as AW1 vide his affidavit Exhibit 'AW1/A' deposed that he was appointed by the management as Foreman in October, 1998 and his services were illegally & wrongly terminated vide letter dated 02.05.2020. He was elected President of Desh Sewak Employees Union and used to espouse the cases of the workers. He was placed under suspension vide letter No.DS/2016/547 dated 14.09.2016 and later on his suspension was revoked vide letter No.DS/2017/509 dated 21.12.2017 and he was paid full wages for the suspension period. As a President of the Union, he lodged a complaint dated 04.12.2018 with the S.S.P., Chandigarh against the management for not depositing the provident fund contribution with the Provident Fund Office, after deduction from the salary. He further lodged complaint dated 01.11.2019 with the S.H.O., Industrial Area, Chandigarh against Shri Chetan Sharma - General Manager. He deposed that he was issued charge sheet-cum-notice for inquiry vide letter bearing No.DS/2020/164 dated 21.01.2020 for the alleged acts of serious misconduct, indiscipline and insubordination. He was not informed by the Inquiry Officer about the date, time and place of inquiry and conducted ex-parte inquiry against him on 27.01.2020. Neither attested copies of complaint, if any, against him nor any list of witnesses and day to day proceedings of the inquiry were supplied to him.He further deposed that the Personnel Officer for Desh Sewak could not terminate his services as he was not the appointing authority of the workman. No show cause notice was issued to him before termination. His termination is illegal, wrong, motivated and against the principles of natural justice.

14. On the other hand, MW1 Chetan Sharma - General Manager, DeshSewak Newspaper vide his affidavit Exhibit 'MW1/A' deposed that he was General Manager / Resident Editor with Desh Sewak and working with DeshSewak since 2018. He deposed that the workman has documented history of intimidating not only his co-workers but also the Editor of the DeshSewak and the workman has himself acknowledged being placed under suspension by the previous management in the year 2016. He deposed that all the managements of the respondent had taken lenient view and addressed the concerns by merely issuing warnings but the workman has always taken advantage of that situation. He deposed that the workman had persistently failed to rectify his behaviour and once again engaged in misconduct, indiscipline and insubordination. Despite issuance of repeated show cause notice to the workman in the year 2019, he exhibited a blatant disregard for proceedings by deliberately choosing not to respond to the notices and the management diligently adhered to the procedural requirement subsequent to issuing show cause notice to the workman and thereafter a charge sheet was duly served upon him providing him ample opportunity tofurnish the response. He testified that theworkman consistently exhibited a pattern of intentional non-compliance by failing to respond to show cause notice and the subsequent notices or inquiry. He stated that on 24.01.2020, the workman left his work and indulged himself in an unlawful strike devoid of any discernible agenda and also incited his co-worker and

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involved them in the said illegal action. The said action was very aggressive with a sole intention to inflict harm upon the management to withdraw the inquiry / disciplinary proceedings to be conducted on the serious allegation against the workman. The workmen persisted in their refusal to return to their work and obstructed the main gate, creating a situation of intimidation where anyone attempting to enter would be met with repercussions. In order to address this issue, the matter was reported to the Senior Superintendent of Police, Chandigarh vide letter dated 25.01.2020 as well as Labour Commission seeking immediate intervention. The management exercised patience and awaited the participation of the workman in the departmental proceedings but despite repeated efforts and ample opportunities provided. He neither availed himself for inquiry proceedings nor made any efforts to communicate with the management.

15. It transpires from the record that the workman has deposed that he had joined the respondent-management as Foreman in October, 1998. In its written reply,the management had denied the said fact. The workman appeared in the witness box as AW1 and during his oral testimony stated that he joined the respondent-management as Foreman in the month of October, 1998 in Printing Section. The workman had not been put to cross-examination on this aspect by the respondent-management. No evidence has also been led by the respondent-management to the effect that the workman had not joined the management in the month of October, 1998. As such, the workman joined the respondent-management as stated by him.

16. It is the case of the workman that he was elected President of Desh Sewak Employees Union and he used to espouse the case of the workers working in the press. The respondent-management had denied the said fact in its written reply. The workman while appearing as AW1 has brought the proceedings register of Desh Sewak Employees Union, which included resolution dated 28.01.2024 regarding the unanimous election of the Union and he further admitted that except the said proceedings register, he had no other record of election conducted in the month of January, 2024 as well as he being the President of the Union.

17. The workman has stated that he was placed under suspension vide letter dated 14.09.2016 on the alleged charge of threatening the Editor of Daily Desh Sewak following the show cause notice. The management had not denied the said fact. The workman has stated that his suspension was revoked vide letter dated 21.12.2017 and he was paid full wages for the suspension period. MW1 Chetan Sharma during his cross-examination admitted that the workman was suspended vide letter No.DS/2016/547 dated 14.09.2016 (Exhibit 'W2') and his suspension was cancelled vide letter No.DS/2017/599 dated 21.12.2017 (Exhibit 'W3'). He suffered voluntarily statement that suspension was cancelled as he had apologized and assured not to repeat the mis-conduct in future. Cross-examination of MW1 was deferred for placing on record letter whereby the workman had tendered the apology with an assurance not to repeat mis-conduct in future. However, MW1 did not bring the said record stating that the same was not traceable. The workman has himself placed on record the letter dated 21.12.2017 on the subject of cancellation of suspension order (Exhibit 'W3') which mentions that as per M.D. order, his suspension was cancelled w.e.f. 21.12.2017. The said cancellation of suspension does not make any reference to the apology or the assurance given by the workman.

18. The workman had stated that he was issued show cause notice-cum-inquiry notice dated 21.01.2020 on the alleged charges of serious mis-conduct, indiscipline and insubordination. The said charge sheet was signed by Chetan Sharma, DeshSewak on 18.01.2020 whereby Shri Inderjeet Singh was appointed as Inquiry Officer on 25.12.2019 one month in advance without waiting for reply to the charge sheet. On the other hand, the respondent-management submitted that on 24.01.2020, the workman went on an unlawful strike devoid of any discernible agenda and incited his co-worker to join strike and said action was very aggressive with a sole intention to pressurise the management to withdraw the inquiry to be conducted against the serious allegation levelled against the workman. The matter was addressed to the SSP, Chandigarh with the formal reporting to

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the Deputy Commissioner, who marked the matter to the Assistant Labour Commissioner seeking immediate intervention. The workman during his cross-examination admitted that he was issued charge sheet on 21.01.2020 (Exhibit 'W6') and he received the copy of the charge sheet. He did not join the inquiry into the charge sheet dated 21.01.2020 as he was not called to join the inquiry. He admitted that he did not join the inquiry proceedings held on 27.01.2020 at 10:00 A.M. He did not file any reply to the charge sheet. MW1 Chetan Sharma brought the original record of inquiry proceedings against the workman held on 27.01.2020 on the show cause notice, charge sheet dated 18.01.2020 on the mis-conduct as stated in the charge sheet (consisting of pages 1 to 17) (Exhibit 'M3'). He stated that Exhibit 'M3' was complete inquiry file and Shri Inderjeet Singh was appointed as Inquiry Officer as per Exhibit 'W7'.

19. The workman has himself placed on record the charge sheet-cum-show cause notice for inquiry (Exhibit 'W6'). The perusal of the said charge sheet-cum-notice for inquiry dated 18.01.2020 shows that it was issued by Chetan Sharma and it was issued to the workman on 21.01.2020. The said charge sheet has been issued on the allegations of mis-conduct, indiscipline, insubordination. The said charge sheet further mentions that Mr. Inderjeet Singh has been appointed as Inquiry Officer to hold the inquiry on 27.01.2020 at Desh Sewak, Sector 29, Chandigarh at 10:00 A.M. wherein the workman would be provided full opportunity of defend himself.

20. Learned Representative for the workman submitted that the Inquiry Officer was appointed much prior to issuance of charge sheet-cum-notice for inquiry and the said fact shows that the management has proceeded in a hasty manner with the purpose of terminating the services of the workman. The letter regarding appointment of Mr. Inderjeet Singh as Inquiry Officer has been produced on record by the workman as Exhibit 'W7'. The said letter bears date 25.12.2019 and the same was addressed to Mr. Inderjeet Singh wherein it was mentioned that he was appointed as Inquiry Officer to conduct departmental inquiry against Ashok Kumar and Surjit Singh who were employees of Desh Sewak. Learned Representative for the workman submitted that the Inquiry Officer is normally appointed after issuance of charge sheet. He submitted that the issuance of the charge sheet subsequent to the appointment of the Inquiry Officer clearly shows that the management acted in a biased manner. In the case in hand, the Inquiry Officer was appointed approximately one month prior to issuance of charge sheet. The management has failed to justify as to why the Inquiry Officer was appointed prior to the issuance of the charge sheet and this fact has made the Court to believe that the management did not act in a reasonable manner.

21. Admittedly, the name of the Inquiry Officer finds mentioned in the show cause notice-cum-charge sheet (Exhibit 'W6') and the workman admitted the receipt of said show cause notice-cum-charge sheet. However, there is nothing on record to show that the Inquiry Officer had issued a letter to the workman calling upon him to join the inquiry proceedings on a given date, time and place. The inquiry proceedings were conducted on 27.01.2020 and the statement of management witnesses Chetan Sharma, Ravinder Kumar and Vijay Pal Singh was recorded by the Inquiry Officer. The Personnel Officer, Desh Sewak while agreeing with the findings of the Inquiry Officer passed the order of dismissal dated 02.05.2020 (Exhibit 'W8').

22. Learned Representative for the management submitted that the management has conducted the inquiry against the workman in a fair manner. He was informed about the appointment of the Inquiry Officer and even served with the show cause notice-cum-charge sheet. The workman neither replied to the said notice-cum-charge sheet nor joined the inquiry proceedings. He further argued that since the inquiry has been conducted in a fair & proper manner and findings are based on evidence, therefore, this Court cannot interfere in the inquiry proceedings. However, Learned Representative for the workman submitted that the workman was never called by the Inquiry Officer to join the inquiry proceedings. He submitted that even the reply to the show cause notice-cum-charge sheet was not asked for by the management and further he was not

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given opportunity of personal hearing by the management whichgoes to show that the management was biased towards the workman.

23. Admittedly, the charge sheet was issued subsequent to the appointment of the Inquiry Officer. The management had not called the workman to file reply to the show cause notice-cum-charge sheet. He was not given an opportunity of representation against the inquiry report submitted by the Inquiry Officer. As such, the management has violated the principles of natural justice as well as statutory regulations relating to inquiry proceedings. Reliance is placed citation ***State Bank of Bikaner & Jaipur Versus Nemi Chand Nalwaya, 2011 LLR 634 (SC)*** wherein the Hon'ble Supreme Court has held under :-

> *"6. It is now well-settled that the courts will not act as an appellate court and reassess the evidence led in the domestic enquiry, nor interfere on the ground that another view is possible on the material on record. If the enquiry has been fairly and properly held and the findings are based on evidence, the question of adequacy of the evidence or the reliable nature of the evidence will not be grounds for interfering with the findings in departmental enquiries. Therefore, courts will not interfere with findings of fact recorded in departmental enquiries, except where such findings are based on no evidence or where they are clearly perverse. The test to find out perversity is to see whether a tribunal acting reasonably could have arrived at such conclusion or finding, on the material on record. Courts will however interfere with the findings in disciplinary matters, if principles of natural justice or statutory regulations have been violated or if the order is found be arbitrary, capricious, mala fide or based on extraneous considerations."*

In the light of authority, the Court can interfere only if principles of natural justice or statutory regulations have been violated or if the order is found to be arbitrary, capricious, mala fide or based on extraneous considerations.In the case in hand, the material on record reveals that the management did not act in a bonafide manner regarding holding of inquiry as well as passing of termination order. As such,the cumulative effect of aforesaid discussion is that the management has wrongly terminated the services of the workman vide order dated 02.05.2020. Therefore, the dismissal order dated 02.05.2020 is set aside and the workman is held entitled to reinstatement with continuity of service and 25% back wages. Accordingly, this issue stands decided in favour of the workman and against the management.

Relief

24. In view of the aforesaid findings, the industrial dispute in hand stands allowed. The workman is entitled to reinstatement with continuity of service and 25% back wages. The management is directed to comply with the Government Gazette failing which the management shall be liable to pay interest at the rate 8% per annum on the amount of consequential benefits from the date of this Award till it's realisation. Appropriate Government be informed accordingly. Copy of this Award be also sent to Learned District Judge, Chandigarh in view of Sub-section 10 of Section 11 of the Industrial Disputes (Amendment) Act, 2010 for onward transmission of the same to the concerned Civil Court. File be consigned to records after due compliance.

(Sd.) . . .,

Dated : January 30, 2026

(MANISHA JAIN)
UID No.PB0158
PRESIDING OFFICER,
Industrial Tribunal & Labour Court,
Union Territory, Chandigarh

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CHANDIGARH ADMINISTRATION
LABOUR DEPARTMENT

Notification

The 1st April, 2026

No. 628512-HII(2)-2026/3635.—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL) dated 28.7.2004, the undersigned hereby publish the following award bearing reference **No. 5/2023 dated 20.02.2026** delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between:

SHEYANKI YADAV S/O SH. MAHIAL YADAV, CURRENTLY RESIDING AT # 4, NEAR GURU DUWARA SAHIB, SARANGPUR, CHANDIGARH. (WORKMAN)

AND

1. GOVERNMENT INDUSTRIAL TRAINING INSTITUTE FOR WOMEN, THROUGH ITS PRINCIPAL, SECTOR 11, CHANDIGARH.

2. M/S EAGLE EYE SECURITY & HOUSE KEEPING, THROUGH ITS PROPRIETOR, # 662/1, GHATI ROAD, PUNJABI BASTI, ANAND PARBAT, NEW DELHI - 110005.

3. M/S WORK POWER FACILITY MANAGEMENT, THROUGH ITS PROPRIETOR, C/O THE PRINCIPAL, GOVERNMENT INDUSTRIAL TRAINING INSTITUTE FOR WOMEN, SECTOR 11, CHANDIGARH. (MANAGEMENT)

AWARD

1. Workman Sheyanki Yadav has presented Industrial Dispute in hand under Section 2A(2) of the Industrial Disputes Act, 1947 *(here-in-after in short called 'ID Act').*

2. Briefly stated, the workman was orally engaged by management No.1 w.e.f. February, 2021 as Work Shop Attendant (WSA). His last drawn wages were ` 14,133/- per month. The principal employer i.e. management No.1 with mala fide intentions had shown the name of the workman and other co-workers under the alleged contractors whereas he had worked under the direct control & supervision of the management. On 05.03.2022, the principal employer and the contractor refused to allow duty to the workman. He was not issued any memo, charge sheet and no inquiry was conducted before termination. He was not offered notice pay in lieu of notice period and compensation. Job of the workman still exists and juniors to him were retained in service. The management has violated Section 25F, 25G & 25H of the ID Act. Prayer was made that the workman may be reinstated into service with continuity of service, full back wages.

3. Management No.1 contested the claim of the workman by filing written statement raising preliminary objections inter alia that the Chandigarh Administration, Finance Department vide its letter No.27/4/9-UTFII(12)-2014/9421 dated 07.11.2014 has decided as policy matter that all the Group 'D' posts as and when fallen vacant would be filled up through outsourcing after following proper procedure. In pursuance to the abovesaid policy

dated 07.11.2014, the answering management had floated the tender on the GeM Portal for hiring outsourcing contractor, after obtaining necessary permission from the competent authority i.e. Director Technical Education, Chandigarh. After finalization of the bidding process on GeM Portal, the management has executed contract from 01.10.2020 to 05.09.2021 with management No.2 i.e. M/s Eagle Eye Security and Housekeeping. Management No.2 had deployed the workman on 08.02.2021 vide deployment order dated 08.02.2021. Thereafter, the contract was further extended with management No.2 on the same terms & conditions till 04.03.2022 and contract with management No.2 was terminated with efflux of time. After finalization of new bidding process on GeM Portal, management No.3 was awarded contract. The answering management had executed contract from 05.05.2022 to 04.05.2023 between management No.3 for providing the manpower on outsource basis. No relationship of employer and employee ever existed between the workman and answering management. The workman has not impleaded the Director Technical Education, U.T. Chandigarh as party as the same is competent authority and is necessary party for the claim.

4. On merits, it is stated that the workman was engaged by management No.2 as per contract dated 24.09.2020. Neither any appointment letter was ever issued nor his services were terminated by the answering management. Remaining averments of the claim statement were denied and prayer was made for dismissal of the claim statement qua management No.1.

5. Management No.2 contested the claim of the workman and filed written reply raising preliminary objections inter alia that management No.1 - Government Industrial Training Institute for Women was the principal employer and the workman was working for management No.1. Management No.2 was engaged by management No.1 for specific period. Thereafter, management No.1 had engaged management No.3 i.e. M/s Work Power Facility Management (OPC) Private Limited and management No.2 never terminated the workman during its contract period. Prayer was made for dismissal of the claim qua management No.2.

6. None appeared on behalf of management No.3 despite notice as such management No.3 was proceeded against ex-parte vide order dated 26.02.2024.

7. The workman filed separate replications to the written statement / reply filed by management No.1 and 2 wherein he reiterated the contents of the application and denied the averments made by management No.1 & 2 in their written statement / reply.

8. From the pleadings of the parties, following issues were framed vide order dated 08.08.2024 :-

1. Whether the termination of the services of the workman is illegal ? If so, to what effect and what relief he is entitled to ? OPW

2. Whether there is no relationship of employer-employee between management No.1 and workman ? OPM (management No.1)

3. Whether the claim statement is bad for non-joinder of party ? OPM (management No.1)

4. Relief.

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9. Thereafter, both the parties were called upon to lead their respective evidence.

10. In evidence of the workman, the workman examined summoned witness Jai Kumar - Instructor, O/o Government Industrial Training Institute for Women, Sector 11, Chandigarh as AW1, who brought the summoned record and placed on record documents :-

Copy of awarding of contract bearing Memo No.GITIW/Outsource F223/2022/1338 dated 05.05.2022	**Exhibit 'W1'**
Copy of order passed by Superintendent (G-II) for Director Technical Education, Chandigarh regarding revision of DC Rates	**Exhibit 'W2'**
Copy of order bearing Endst. No.DC/DN/F-20/2022/12733 dated 10.06.2022 passed by D.C. Chandigarh regarding revision of D.C. Rate for the period 01.04.2022 to 31.03.2023	**Exhibit 'W3'**
Copy of bill bearing Invoice No.052 dated 04.07.2022 vide Exhibit submitted by contractor i.e. Work Power Facility Management OPC. Pvt. Ltd.	**Exhibit 'W4'**
Copy of office order No.353 dated 28.07.2022 regarding payment of wages of Principal, Govt. Industrial Training Institute for Women, Sector 11, Chandigarh	**Exhibit 'W5'**

11. The workman failed to conclude its evidence despite availing several opportunities including last opportunity. Today i.e. on 20.02.2026 neither the workman nor anyone on his behalf has appeared.

12. Case file perused. In the case in hand, as per claim of the workman, the workman was aggrieved that his services were terminated illegally by the management. The workman did not step into the witness box to substantiate his claim. Today, none appeared on behalf of the workman. It seems that the workman is not interested in perusing the matter. Accordingly, the industrial dispute in hand stands declined for want of prosecution. Appropriate Government be informed accordingly. File be consigned to records after due compliance.

(Sd.) . . .,

Dated : February 20, 2026

(MANISHA JAIN)
UID No.PB0158
PRESIDING OFFICER,
Industrial Tribunal & Labour Court,
Union Territory, Chandigarh

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CHANDIGARH ADMINISTRATION
LABOUR DEPARTMENT

Notification

The 1st April, 2026

No. 628514-HII(2)-2026/3639.—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL) dated 28.7.2004, the undersigned hereby publish the following award bearing reference **No. 85/2023 dated 24.02.2026** delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between :

ANUP KUMAR (ANUP) AGED 45 YEARS, SON OF SH. BANSI LAL, R/O HOUSE NO. 2391, TOP FLOOR, PHASE - 2, RAM DARBAR, UNION TERRITORY CHANDIGARH. (WORKMAN)

AND

M/S T. K. INDIA PRIVATE LIMITED, PLOT NO. 346, 347, 348 & 355, INDUSTRIAL AREA, PHASE - 2, UNION TERRITORY CHANDIGARH THROUGH ITS MANAGING DIRECTOR / GENERAL MANAGER. (MANAGEMENT)

AWARD

1. Workman Anup Kumar has presented Industrial Dispute in hand under Section 2A(2) of the Industrial Disputes Act, 1947 *(here-in-after in short called 'ID Act').*

2. Briefly stated, the workman in his claim statement submitted that he joined the services with the respondent-management w.e.f. 01.02.2011 and he worked continuously without any break in service till 17.03.2023. On the said date, he was summoned by the General Manager and handed over the order of termination. It is stated that he was among the regular workers of the respondent-management and worked in production department as Machine Operator and at the time of termination, he was drawing ` 13,000/- per month. He was covered under ESI and PF scheme. He performed his duties up to the entire satisfaction of the management and his superiors and never issued any show cause notice, warning, charge sheet or any other memo to question his work & conduct for more than 11 years. He stated that the respondent-management had also appointed more than 100 contract workers through private contractors and as per their scheme, the management was shunting out the workers from service one by one. The respondent-management started putting undue pressure on the workman to put his resignation. Since the workman wanted to remain in service of the respondent-management, it started shifting him from one job to another job and he never refused to the orders of the respondent-management. He was made to do the job of helper like collecting metal scrape / waste from the machine, cleaning workshop and do loading & unloading job in premises of the factory in addition to machine job assigned to him. The respondent-management was counting the production achieved by the workman in addition to miscellaneous jobs and started issuing warning letters dated 28.05.2021, 22.07.2021, 24.08.2021 and 08.09.2021. It is stated that on 30.04.2022, he was made to work in Tip Setting Department plot No.346 and production record was recorded in computer vide code No.K2200027 and on 02.05.2022 and 03.05.2022, he was made to sit at gate of the factory and not allowed to work. He stated that on 11.05.2022, he was served with show cause notice dated 03.05.2022. He took the objection to the show cause notice being incomplete and submitted the reply dated 14.05.2022 within the stipulated period of 72 hours. On 17.08.2022, he was served with a charge sheet and an explanation was demanded from him to be submitted within 72 hours. He objected to the charge sheet being incomplete and filed reply dated 19.08.2022. It is further stated that the respondent-management served the suspension order on him dated 25.08.2022 and he was directed to report daily on security gate at 10:00 A.M. and not to leave the station without prior permission. He was paid subsistence allowance @ 50% of the rate of wages and not full wages. The respondent-management appointed the Inquiry Officer Shri Kailash Chander - Advocate vide order dated 25th August, 2022 and the workman was directed to cooperate with the said Inquiry Officer. The Inquiry Officer started inquiry proceedings on 19.09.2022 and the respondent-management submitted its false &fabricated documents with a malafide intention to prove

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their version and next date was fixed as 01.10.2022 by the Inquiry Officer. The workman submitted that on the said date,the workman submitted an application seeking permission for help of an Advocate or Trade Union Leader to guide him during the inquiry proceedings. His permission to engage an Advocate was denied and the workman was told to take help of co-worker from the factory itself. He was never supplied with the copies of the inquiry proceedings. The workman again filed application dated 24.11.2022 seeking permission to appoint an Advocate or a Trade Union Leader for guidance but his plea was rejected by the Inquiry Officer. It is stated that the workman was asked to record his statement in his defence and he submitted the statement by way of affidavit dated 20.10.2022 and he submitted his written evidence dated 28.12.2022 and on the next date, he was sick and he informed the Inquiry Officer on telephone but the Inquiry Officer closed the inquiry proceedings.

3. The workman submitted that the Inquiry Officer was the choice of the management and paid by the management and answered the inquiry report as per instructions & dictations of the management. The rights of the workman and principles of domestic inquiry were ignored as the Inquiry Officer was not impartial person. The workman submitted that his termination is illegal, unjustified and against the principles of natural justice as the show cause notice and charge sheet were issued in an arbitrary manner by the management while framing allegations. His termination is not a termination simplicitorbut termination by way of punishment as he was raising his voice against disparity in payment of earned wages. He was not given a fair opportunity during the inquiry proceedings and termination order is based on hearsay and against the principles of natural justice. It is prayed that the workman may be reinstated with continuity of service and full back wages with all attendant benefits applicable from time to time.

4. The management filed written reply to the claim statement taking preliminary objections inter alia on the ground that the nature of work performed by the claimant was supervisory and falling beyond the scope of 'workman as defined under Section 2(s) of the ID Act. It is further submitted that the subject matter of claim statement did not fall within the scope of dispute defined in the ID Act.

5. On merits, it is stated that the designation of the workman was not that of Machine Operator. It is admitted that his services were terminated vide order dated 17.03.2023, in view of proven charges. The workman has wrongly contended that he was subjected to humiliation, cheating and merciless treatment. The Inquiry Officer was not paid employee of the respondent-management rather he was appointed with a view to conduct transparent and fair inquiry. It is stated that the attempts at conciliation before the Assistant Labour Commissioner failed. The workman was regular employee of the management and served as Operator in the Production Department. He was receiving monthly remuneration of ` 13,000/- at the time of his termination and covered under ESI and PF scheme. It is submitted that he served the management approximately for 11 years. However, it is denied that the management had employed more than 100 contractor employees or the Company was shunting out the regular employees. It is stated that the allegations against the management were concocted, false and frivolous. Further, the management had no intention to transfer the workman from one job to another. Further, the workman had a false claim that he was assigned the job of collecting metal scrap, waste and perform cleaning and loading tasks in addition to machine related duties. It is stated that the management kept track of employees' productivity and fairly evaluated the performance of the workman. The workman did not raise such contention in his response to the show cause notice or in any other correspondence with the management. Further, he did not bring up those allegations during the entire inquiry proceedings before the Inquiry Officer. The evidence before the Inquiry Officer proved that despite several warning letters, the workman failed to achieve the production at a normal level and in an effort is enhance the production of the workman, the management provided on job training but the workman did not improve the production to a normal level and while acknowledging the warning letter dated 08.09.2021, the workman made endorsement on the warning letter for an increase in salary whereas the management was already paying the salary at market rates. The workman was charge sheeted for safety concerns, disobedience, misbehaviour during working hours, indiscipline, slow production and leaving the workplace without permission or intimation as mentioned in the charge sheet dated 17th August, 2022. The workman filed reply to the charge sheet but the same was not found to be satisfactory and subsequently an inquiry was conducted and he was given an opportunity to explain his position. It is stated that the workman was never made to sit at gate of the factory on 02.05.2022 and 03.05.2022. It is submitted that the management called the workman on 03.05.2022 to acknowledge show cause notice upon which he stated that he was not feeling well and thereafter he reported

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for duty on 11.05.2022 with ESI medical and submitted reply to the show cause notice on 14.05.2022. It is submitted that the productivity of the workman was 42% leading to production loss of 58% to the management and further it was stated that Tip Setting Department was not only daily job requirement rather it was associated with the production planning. The workman was proficient in performing tasks across various departments, similar to other workers and the management allocated necessary tasks to employees based on exigencies of work. It is admitted that the workman was served with suspension letter and paid subsistence allowance as per the applicable rules. The Inquiry Officer had given him adequate opportunity to participate in the domestic inquiry. The charges were substantiated by the Inquiry Officer and the termination order was issued on 17.03.2023 adhering to the fundamental principles of natural justice. A prayer was made for dismissal of the claim statement.

6. The workman filed replication to the written statement wherein he reiterated the contents of the claim statement and denied the averments made in the written statement.

7. From the pleadings of the parties, following issues were framed vide order dated 19.05.2024 :-

1. Whether the termination of the services of the workman is illegal ? If so, to what effect and what relief he is entitled to ? OPW

2. Whether the workman does not fall within the definition of 'workman' as defined under Section 2(s) of the ID Act ? OPM

3. Relief.

8. Thereafter, both the parties were called upon to lead their respective evidence.

9. In evidence of the workman, the workman himself appeared as AW1 and tendered his duly sworn-in affidavit Exhibit 'AW1/A'. He also tendered into evidence documents:-

Office copy of demand notice dated 10.04.2023 served through registered post	**Exhibit 'W1'**
Original postal receipt dated 25.04.2023	**Exhibit 'W2**
Failure report of Assistant Labour Commissioner-cum-Conciliation Officer, U. T. Chandigarh bearing memo No.2796 dated 17.10.2023	**Exhibit 'W3'**
Copy of termination letter dated 17.03.2023	**Exhibit 'W4'**
Copy of identity card of the workman issued by Teleflex i.e. management of T. K. India Pvt. Ltd.	**Exhibit 'W5'**
Self-attested copy of aadhar card of the workman	**Exhibit 'W6'**
Copy of salary slip for the month of March, 2022	**Exhibit 'W7'**
Copy of statement of production details for the period 21.04.2022 to 30.04.2022	**Exhibit 'W8'**
Copy of show-cause notice dated 03.05.2022 issued to the workman by the management of T. K. India Pvt. Ltd.	**Exhibit 'W9'**
Copy of written reply dated 14.05.2022 to show-cause notice dated 03.05.2022	**Exhibit 'W10'**
Copy of charge-sheet dated 17.08.2022 served to the workman by the management of T. K. India Pvt. Ltd.	**Exhibit 'W11'**

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Written reply dated 19.08.2022 filed by me to the charge-sheet dated 17.08.2022	**Exhibit 'W12'**
Copy of suspension letter (in English) dated 25.08.2022 issued to the workman by the General Manager, T. K. India Pvt. Ltd.	**Exhibit 'W13'**
Copy of suspension letter (in Hindi) dated 25.08.2022 issued to the workman by the General Manager, T. K. India Pvt. Ltd.	**Exhibit 'W13/1'**
Copy of application dated 01.10.2022 submitted by the workman to the Inquiry Officer Shri Kailash Chander, Advocate, U.T. Chandigarh seeking to provide him an Advocate or a Trade Union Leader to guide him in domestic inquiry proceedings	**Exhibit 'W14'**
Copy of application dated 24.11.2022 submitted by the workman to Shri Kailash Chander, Inquiry Officer in the matter of domestic inquiry seeking appointment of a practicing lawyer or a Trade Union Leader for the cross-examination of management witnesses and for proper guidance to him	**Exhibit 'W15'**
Copy of statement of the workman by way of an affidavit dated 19.08.2022 submitted to the Inquiry Officer	**Exhibit 'W16'**
Copy of statement of the workman dated 28.12.2022 in the domestic inquiry proceedings submitted to the Inquiry Officer	**Exhibit 'W17'**

Thereafter, the workman closed his evidence in affirmative.

10. In evidence of the management, Kailash Chander S/o Late Shri Bhagat Ramm, (Advocate) Inquiry Officer appeared as MW1 and tendered his duly sworn-in affidavit Exhibit 'MW1/A' along with documents :-

Copy of letter dated 25.08.2022 appointing him as an Inquiry Officer	**Exhibit 'R1/RW2'**
Complete inquiry report in original (consisting of page No.1 to 204) containing all the details pertaining to the inquiry conducted by him	**Exhibit 'R2/RW2'**

11. The management also produced Aman Chopra - Manager (HR) who tendered his affidavit Exhibit 'MW2/A' along with copy of bank account statement bearing No.08738630000123 maintained with HDFC Bank having its Branch at Sector 35-B, Chandigarh for the period w.e.f. 01.09.2022 to 31.03.2023 Exhibit 'MW2/1'.Subsequently, Shri P. K. Kukreja - Learned Representative for the management suffered the statement that MW2 has resigned from the job and wasno longer working on the rolls of the management and, therefore, the management did not want to examine him. Thereafter, he closed the evidence on behalf of the management.

12. No evidence in rebuttal was led by the workman.

13. I have heard the arguments addressed by Learned Representatives for the parties and gone through the case file carefully with their able assistance. My issue-wise findings are as under :-

Issue No. 2

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14. This issue is taken up in the first instance as the respondent-management has taken preliminary objection in its written statement that the workman does not fall within the parameters of Section 2(s) of the ID Act.

15. The management is required to prove the said issue.

16. Learned Representative for the management submitted that the workman's employment nature was supervisory, thereafter, he was not covered under the purview of Section 2(s) of the ID Act. However, Learned Representative for the workman denied the fact that the employment nature of the workman was supervisory. He submitted that the workman was designated as Machine Operator but sometimes he was ordered to perform the job of Helper i.e. cleanliness of the workshop, loading & unloading of the goods etc.

The workman while appearing as AW1 during his cross-examination had stated that he was working in Press Department as Operator and he voluntarily submitted that he was also doing the work of loading and unloading and there was no helper in the Press Department. He further stated that he used to report daily to the Team Leader. He was 7th standard pass and he used to manufacture 400 pieces per day of spare parts of stethoscope. The workman has not been cross-examined by the management on that aspect.

In case titled as ***Anand Regional Coop. Oil Seedsgrowers' Union Limited Versus Shaileshkumar Harshadbhai Shah, 2006 SCC (L&S) 1486,*** the Hon'ble Supreme Court has held that primary duties performed by an employee are more important to ascertain whether he is a 'workman' or not and the designation of the employee or the name assigned to his class should not be given undue importance and mere existence of subordinates whose work is required to be supervised is a sine qua non to prove supervisory work and the employee must have authority to initiate departmental proceedings against the sub-ordinates.No evidence has been led by the management to establish that the workman was performing supervisory functions. Accordingly, the said issue stands decided against the management and in favour of the workman.

Issue No. 1

17. The workman is required to prove the said issue.

18. Learned Representative for the workman submitted that the workman had rendered more than 12 years of service with the management and for the first 11 years, no show cause notice or charge sheet was ever issued to him. He submitted that the management terminated his services in violation of principles of natural justice. He further submitted that the show cause notice and charge sheet were issued to him without any supporting documents.

19. On the other hand, Learned Representative for the management submitted that the workman was issued several warning letters as his production was very slow. He was also advised to improve production and also given on job training but still he did not improve. He argued that there was nothing on record to show that he did not receive documents at the time of issuance of show cause and charge sheet. The management has no history of termination and prayer was made that the workman was not entitled to any relief.

20. However, before coming to any logical conclusion, it is necessary to discuss the evidence led by both the parties.

21. The workman while appearing as AW1 deposed that his services were terminated vide written detailed order dated 17.03.2023and he felt humiliated as alleged false charges for his termination were proved by the management through an Inquiry Officer though he had never committed any wrong. He

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was doing the job for the last 12 years and he was mercilessly pushed to unemployment. He deposed that he served the demand notice to the management through registered post dated 25.04.2023 with a prayer for reinstatement of his services within 15 days of the receipt of demand notice. He waited for more than 20 days and when he did not get any response, he filed copy of demand notice before the Assistant Labour Commissioner-cum-Conciliation Officer on 22.05.2023 with a prayer to initiate the conciliation proceedings. He deposed that the conciliation proceedings were initiated but remained unfruitful and he was advised to approach the appropriate forum for adjudication of dispute vide order dated 17.10.2023. The workman deposed that he joined the services of the employer-management w.e.f. 01.02.2011 and he worked without any interruption in his service till 17.03.2023. He was issued identity card by the respondent-management. He was among regular workers of the respondent-management. He deposed that he was working in Production Department as Machine Operator and he was drawing ` 13,000/- as monthly wages. He deposed that he performed his duties to the entire satisfaction of the management. He stated that the management had started putting undue pressure upon him to put his resignation, as he wanted to remain in service, the management started shifting him from one job to another. He never refused to the orders of the management. He was asked to do the job of Helper by collecting metal scrape/waste from the machines and cleaning workshop, to do loading & unloading job in the premises of the factory. He deposed that first warning letter was issued on 28.05.2021 followed by the subsequent warning letters dated 22.07.2021, 24.08.2021 and 08.09.2021. On 30.04.2022, he was made to work in Tip Setting Department. He stated that on 02.05.2022 and 03.05.2022,he was made to sit at the gate of the factory and he was not allowed to work. On 11.05.2022, he was served with another show cause notice dated 03.05.2022, to which he submitted his reply dated 14.05.2022. He deposed that he was served with the charge sheet dated 17.08.2022 and asked to submit his explanation within 72 hours to which he filed reply dated 19.08.2022. He was placed under suspension and directed to report daily at security gate at 10:00 A.M. and not to leave the station without prior permission. He was paid subsistence allowance @ 50% of rate of wages only. He deposed that Kailash Chander - Advocate was appointed as Inquiry Officer vide order dated 25.08.2022, who started inquiry proceedings on 19.09.2022 and the management submitted their false &fabricated documents. He was not allowed to avail the service of Advocate or Trade Union Leader during inquiry proceedings. He deposed that the Inquiry Officer was the choice of the management, paid by the management and answered the inquiry report as per instructions and dictation of the management. The principles of natural justice were ignored while conducting inquiry against him and termination order is hearsay.

22. On the other hand, MW1 Kailash Chander deposed that he was appointed as Inquiry Officer by the respondent-management vide appointment letter dated 25.08.2022 and e-mail correspondence (Exhibit 'R1/RW2) to conduct the domestic inquiry in respect of the workman Anup Kumar. He issued notices to both the parties to appear and participate in the inquiry proceedings. The inquiry was conducted against him according to the principles of natural justice and the parties were afforded full & fair opportunity to present their case, produce evidence, examine and cross-examine the witnesses and make their submissions and after due consideration to the pleadings and evidence led by both the parties during inquiry proceedings, he gave finding under his signatures.

23. It transpires from the record that the workman was appointed as Operator by the respondent-management w.e.f. 01.02.2011 and he had worked with the management till 17.03.2023 and the said fact has not been denied or disputed by the management. The workman stated that he was terminated vide order dated 17.03.2023 after domestic inquiry was conducted against him. The management has also not disputed the same.

24. It is the contention of the workman that he was not issued any show cause notice, warning or any other memo questioning his work & conduct for 11 years. This fact stands admitted by the respondent-

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management in its written statement. The workman has further stated that the respondent-management had appointed more than 100 workers through private contractor and they were regularly shunting out the regular workers one by one. The management denied the said and stated that it never dismissed the regular employees one by one and there was no history of termination. The workman has not named any regular employee either in his pleading or in his oral testimony who is stated to have been shunted out by the management. As such, the plea of the workman on this aspect is not worthy of credence.

25. The workman deposed that he was issued warning letter on 28.05.2021 followed by warning letters dated 22.07.2021, 24.08.2021, and 08.09.2021. He also deposed that he was served with a show cause notice dated 03.05.2022 on 11.05.2022. During his cross-examination, he admitted that the management had issued warning letter dated 08.09.2021 which he received against his signatures and he made endorsement in Hindi language over letter dated 08.09.2021 (Exhibit 'M1'). He admitted that he refused to receive by hand the letter dated 28.05.2021 (Exhibit 'M2') from the management and the aforesaid letter was delivered to him through registered post.

26. Learned Representative for the management submitted that management is engaged in the manufacturing of medical equipment and production of workman was low and he was informed about the same. The workman in his oral testimony admitted that the management-Company manufactures medical equipments and the Chandigarh unit of management-Company was engaged in manufacturing the parts of stethoscope. The management had fixed the target of 400 pieces of parts of stethoscope per day per Operator. He also admitted that the management told him that his production was low. The workman has himself placed on record the daily production report relating to him (Exhibit 'W8'). He admitted that the management-Company has imparted training to him to achieve his target and he was given an opportunity to improve it.During his cross-examination, he stated that he had achieved the target after 08.09.2021. A perusal of the record reveals that the workman was issued the warning letter dated 08.09.2021 (Exhibit 'M1') wherein it has been mentioned that the workman was also issued the warning letters dated 28.05.2021, 22.07.2021 and 24.08.2021 regarding his less production and misbehaviour during working hours and despite issuance of consecutive warning letters, there was no improvement in his production as well as his behaviour and vide said letter (Exhibit 'M1') he was advised to improve his production and improve his conduct at the work place.

27. The workman deposed that he was issued charge sheet dated 17.08.2022 and he filed reply to the same on 19.08.2022. He deposed that he raised an objection to the charge sheet being incomplete as per law. However, there is nothing on record to show that he has ever moved the application before the concerned Inquiry Officer raising the demand for documents. During his cross-examination, he admitted that he had joined the inquiry proceedings and the Inquiry Officer has taken on record the documents supplied by him. He admitted that he was afforded due opportunities to defend during the inquiry proceedings and the Inquiry Officer used to supply him inquiry proceedings. He further stated in his cross-examination that he filed defence statement before the Inquiry Officer.

28. The Learned Representative for the workman submitted that apart from manufacturing work of stethoscope, the workman was required to do work of loading & unloading and cleanliness of workshop premises etc. He argued that the management had not taken into consideration the said reasons for his low production. The workman during his cross-examination stated that the time was consumed by him in inspection of his production on day to day basis before the online entry in the record provided by the management. During his cross-examination he further admitted that he had not pleaded the said facts in his reply filed by him in any of the proceedings prior or before the Inquiry Officer. Since, admittedly the said facts have not been pleaded by the workman in any of the correspondence by him,therefore, the said plea of the workman that his time was consumed in manual inspection of the product is of no help to him.

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29. Learned Representative for the workman further submitted that he was not given opportunity to engage counsel of his own choice during the inquiry proceedings. No evidence has been produced on record by the workman in that regard rather the workman admitted that he was not in possession of any record showing that his request to engage the defence representative was declined by the Inquiry Officer. MW1 Kailash Chander, the Inquiry Officer during his cross-examination stated that the workman had sought assistance of an Advocate or Trade Union Leader during his inquiry proceedings before him and he was allowed to avail the assistance of co-worker vide order dated 29.10.2022 under signatures of the workman.

The Hon'ble Supreme Court in case titled ***M/s Cipla Ltd. Versus Ripu Daman Bhanot, Civil Appeal No.2230 of 1999 (arising out of SLP (C) No.10694 of 1998)*** Held that the inquiry proceedings cannot be held vitiated if the workman was given the option to represented / assisted by co-worker.

30. Admittedly, the workman was issued the charge sheet to which he filed the detailed reply. He joined the inquiry proceedings and given an opportunity to defend himself during the inquiry proceedings. The workman has not led any evidence to establish that he was not afforded a fair chance during the inquiry proceedings. Further, the workman himself placed on record the termination letter (Exhibit 'W4'). The said termination letter is a detailed one, mentioning that he was issued a show cause to which he submitted detailed reply and thereafter his reply was found unsatisfactory. He was charge sheeted for the charges and the workman failed to rebut the charges framed against him during the inquiry. All the charges stood proved against the workman beyond any reasonable doubt. It is mentioned that his appointment letter also contained the term that in case of slow production and indiscipline, his services could be terminated and the respondent-management has no other option but to terminate his services w.e.f. 17.03.2023. The termination order has been passed after holding a domestic inquiry against the workman. The workman has not been able to prove that the management violated the principles of natural justice or his services were terminated without affording him any opportunity to defend. As such, the said issue stands decided against the workman and in favour of the management.

Relief

31. In view of the aforesaid findings, the industrial dispute in hand stands declined. Appropriate Government be informed accordingly. File be consigned to records after due compliance.

(Sd.) . . .,

Dated : February 24, 2026

(MANISHA JAIN)
UID No.PB0158
PRESIDING OFFICER,
Industrial Tribunal & Labour Court,
Union Territory, Chandigarh

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CHANDIGARH ADMINISTRATION
LABOUR DEPARTMENT

Notification

The 1st April, 2026

No. 13/1/9881(165288)-HII(2)- 2026/3606.—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL) dated 28.7.2004, the undersigned hereby publish the following award bearing reference **No. 64/2023 dated 10.02.2026** delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between :

OM PARKASH PATEL S/O LATE SH. RAM DEV PATEL, AGED 42 YEARS, EX-OFFICE ASSISTANT, ADMIN STAFF, DAINIK BHASKAR NEWSPAPER, D.B. CORP. LITMITED, CHANDIGARH UNIT, PLOT NO. 11-12, GROUND FLOOR, DAKSHIN MARG, SECTOR 25, CHANDIGARH - 160036, R/O HOUSE NO. 1060, HOUSING BOARD COLONY, DHANAS, CHANDIGARH, PIN - 160015. (Workman)

AND

1. D.B. CORP. LIMITED, PLOT NO.280, SARKHEJ-GHANDINAGAR HIGHWAY, NEAR YMCA CLUB, MAKARBA, AHMEDABAD, GUJRAT - 380051 THROUGH ITS MANAGING DIRECTOR.

2. DAINIK BHASKAR NEWSPAPER, D.B. CORP. LIMITED, CHANDIGARH UNIT, PLOT NO. 11-12, GROUND FLOOR, DAKSHIN MARG, SECTOR 25, CHANDIGARH - 160036 THROUGH ITS AGM HR & ADMN. (Management)

AWARD

1. Vide Endorsement No.13/1/9881-HII(2)-2022/9351 Dated 24.06.2022 the Secretary Labour, Chandigarh Administration has referred the dispute to this Court / Tribunal on the claim application filed by Om Prakash Patel *(here-in-after referred "workman")* to M/s D.B. Corp. Limited & Another *(here-in-after referred "management")* under Section 17(1) of the Working Journalists & Other Newspaper Employees (Condition of Service) and Miscellaneous Provisions Act, 1955 *(here-in-after in short referred "Act 1955")* in following words :-

"Whether the arrears of revision of pay to Sh. Om Prakash Patel son of Late Sh. Ram Dev Patel aged 42 years, Ex-Office Assistant, Admin Staff, Dainik Bhaskar Newspaper, D.B Corp Limited, Chandigarh Unit, Plot No.11-12, Ground Floor, Dakshin Marg, Sector 25, Chandigarh - 160036, Resident of House No.1060, Housing Board Colony, Dhanas, Chandigarh, Pin - 160015 (Applicant/Claimant) AND 1. D.B Corp Limited, Plot No.280, Sarkhej-Ghandinagar Highway, Near YMCA Club, Makarba, Ahmedabad, Gujarat-380051 through its Managing Director. 2. Dainik Bhaskar Newspaper, D.B Corp Limited, Chandigarh Unit, Plot No. 11-12, Ground Floor, Dakshin Marg, Sector - 25, Chandigarh - 160036 through its AGM HR &Admn(Management) according to the recommendations of the Majithia Wage Board and also as per the direction of the Hon'ble Supreme Court of India under The Working Journalists And Other Newspaper Employees (Conditions of Service) And Miscellaneous Provision Act, 1955 and in compliance of the orders dated 28.04.2015, 12.01.2016, 14.03.2016, 23.08.2016 passed by the Hon'ble Supreme Court of India in CCP No.128/2015 and 129/2015 AND WP (Civil) 246/2011 dated 07.02.2014; if so, to what effect and to what relief he is entitled to, if any ?"

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2. Upon notice, the workman appeared in person and thereafter he appeared through his Representative Shri Ajay Sharma. Briefly stated the averments of claim statement are thaton the account of revision of pay & other allowances accrued on the acceptance of recommendations of the Majithia Wage Board, which was accepted by the Government of India and notified in the Gazette of India on 11.11.2011,a substantial amount was due from the employer-management, which was denied and the matter was referred to this Court for adjudication of the dispute in terms of Section 17(2) of the Act 1955. As per the Act 1955, the Central Government is competent to fix and revise the wages of the journalist and other employees having been governed by the Act 1955. Under Section 9 of the Act 1955, a Wage Board was constituted under the Chairmanship Hon'ble Mr. Justice G. R. Majithia (Retd.) and the Wage Board was commonly known as 'Majithia Wage Board'. The Majithia Wage Board finally submitted its recommendation on 31.12.2020 to the Union of India. On the publication of the recommendations of the Majithia Wage Board by way of an Award vide Gazette Notification dated 11.11.2021, various newspaper establishment and media houses had made a challenge under Article 32 of the Constitution of India before the Hon'ble Supreme Court of India to the vires of the Act 1955 being *ultra virus* as it infringed the fundamental rights guaranteed under the Article 14, 19(1)(a) and 19(1)(g) of the Constitution of India. There was also a challenge to the validity of notification dated 11.11.2011 issued by the Union of India vide W.P. (C) No.538 of 2011. The bunch of the aforesaid petitions were pending and the Hon'ble Apex Court was pleased to dismiss all the petitions vide its judgment dated 07.02.2014 holding recommendations of the Majithia Wage Board valid in law. Despite dismissal of the writ petitions challenging validity of the Act 1955 and notification dated 11.11.2011 by the Hon'ble Apex Court and further directions for payment of arrears, no compliance was being made by the News agencies. The employees had also taken up their issue before the management No.1 & 2 for payment of revised wages and arrears, however, they were told that a review application has been preferred by them and further course of action would be taken up after its adjudication. Another order dated 13.10.2017 was passed by the Hon'ble Apex Court clarifying the previous judgment dated 19.06.2017 to the extent that the dispute referred for adjudication under Section 17(2) of the Act 1955 will be disposed off by the concerned Labour Court / Industrial Tribunal as expeditiously as possible.

3. It is further stated that on 06.01.2006, the claimant-workman was appointed as Peon in the Dainik Bhaskar Newspaper at Chandigarh. Initially he was on probation for six months and later on his services were regularised. On 01.04.2012, he was further promoted to Office Assistant. As per notification dated 11.11.2011, he being a 'Peon' w.e.f. 06.01.2006 falls within the ambit of Category of 6 Admin Staff and being an 'Office Assistant' w.e.f. 01.04.2012 falls within the ambit of Category 5 Admin Staff of the Schedule - III, Grouping of Non-journalist Newspaper Employees - Admin Staff. In the month of August, 2017, the claimant-workman along with other employees was cautioned by the management that in case, they pressed upon their demand of recovery of dues then they would be either transferred at other far distant places or their services would be terminated. The management started harassing the claimant-workman by rejecting his leave applications, deploying at odd place, giving work out of his job profile and letting him jobless for days together and consequently, he was forced to resign from his job w.e.f. 15.06.2020, that too during the period of pandemic and lockdown. The amount which was liable to be recovered from the management based on revised pay on the basis of Majithia Wage Board are his legitimate dues. He had got calculated his estimated revised salary and arrears of pay from a competent Chartered Accountant as per the Majithia Wage Board recommendations w.e.f. 11.11.2011 till 15.06.2020 and as such, the total amount of ` 1,11,95,965.87/- including interest @ 18% per annum is due from the management. The management has intentionally and deliberately not been implementing the recommendations of Majithia Wage Board and forcing the employees to sign on pre-typed formats and declarations illegally. The cause of action of the claimant-workman is continuous cause of action as he was being drawing less salary than his entitlement. Prayer is made that the management may be directed to implement the Majithia Wage Board recommendations and re-fix the pay of claimant-workman and to release the arrears to the tune of ` 1,11,95,965/- along with 18% per annum from the date of its accrual till actual payment.

4. The management contested the claim of the claimant-workman by filing written statement submitting that the present claim is not maintainable as the same was raised by putting wrong facts as well as by levelling false allegations and presenting fabricated calculation sheet. At the time of leaving the management, by putting the resignation dated 03.06.2020, the claimant-workman had received full & final amount from the

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answering management and nothing remained pending / due. As per Rule 36 of the Act 1955, the application is required to be made in the prescribed Form 'C' addressed to the Secretary to the State Government along with the details of the amount claimed, preceded by fifteen days prior to notice regarding payment to the concerned newspaper establishment. In the case in hand, no such application along with the details of the amount claimed was made to the Secretary to the State Government. The present claim was filed after a gap of more than nine years. The claimant-workman had already opted for Clause 20(j) of the recommendations for payment of existing pay scale and existing emoluments and had given his consent in writing to establishment and after signing the same the claimant-workman could not raise any claim. The claimant-workman had prepared the calculation sheet whimsically without considering the class of the Chandigarh establishment of the management. The DB Corporation Limited is a group of business including textile, MY FM, Digital Media, Real Estate, Power and Denim and as per the Majithia Wage Board recommendation, only the business of newspaper establishment i.e. circulation and advertisement of newspaper shall be counted. As per the Group of the claimant-workman and Class of Newspaper Establishment, he was receiving the wages and other benefits more than the Majithia Wage Board recommendations. It is denied that in the month of August, 2017, the workman along with other employees were cautioned by the management that in case, they press upon their demand of recovery dues then they would be either transferred other far distant places or their services would be terminated. The respondent-management is having various office throughout the country and at the time of joining the management the claimant-workman gave his consent for his transfer to some other place of work by signing the letter in that regard. The services of the claimant-workman were transferred in a routine manner without any ill-will. The claimant-workman was not entitled for any financial benefits as well as interest. A prayer was made that the claim of the claimant-workman may be dismissed.

5. The claimant-workman filed replication to the written statement wherein he reiterated the contents of his claim and opposed the averments made written statement.

6. From the pleadings of the parties, following issues were framed vide order dated 02.08.2024:-

1. Whether the arrears of revision of pay to workman were to be paid by the management, according to the recommendations of the Majithia Wage Board and also as per the direction of the Hon'ble Supreme Court of India under The Working Journalists And Other Newspaper Employees (Conditions of Service) And Miscellaneous Provision Act, 1955 and in compliance of the orders by the Hon'ble Supreme Court of India in CCP No.128/2015 and 129/2015 and WP (Civil) 246/2011; if so, to what effect and to what relief he is entitled to, if any ?
2. Whether the claim application is not maintainable ? OPM
3. Relief.

7. Thereafter, both the parties were called upon to lead their respective evidence.

8. In evidence, workman Om Parkash Patel himself appeared as AW1 and tendered his affidavit Exhibit 'AW1/A'. He also tendered into evidence copies of documents :-

Notification dated 11.11.2011	**Exhibit 'W1'**
Calculation sheet of arrears prepared by Shri Dhruv Gupta -Chartered Accountant	**Exhibit 'W2'**

9. In evidence of the management, Avdhesh Gaur - Deputy Manager (HR Admn) appeared as MW1 and tendered his duly sworn-in affidavit Exhibit 'MW1/A' along with documents :-

Authority letter issued in his favour by D.B. Corp. Ltd.	**Exhibit 'M1'**
No due clearance form	**Exhibit 'M2'**
Resignation dated 03.06.2020	**Exhibit 'M3'**

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Acceptance of resignation dated Nil	**Exhibit 'M4'**
Full &final slip for the month of June, 2020	**Exhibit 'M5'**
Copy of full and &cheque No.635239 dated 15.06.2020 for an amount of ` 78,196/-	**Exhibit 'M6'**
Full &final receipt	**Exhibit 'M7'**
Declaration/affidavit dated 20.06.2020	**Exhibit 'M8'**
Payment advice dated 06.08.2020	**Exhibit 'M9'**
Demand draft No.015775 dated 05.08.2020 for an amount of ` 78,346/-	**Exhibit 'M10'**
Declaration/affidavit dated 12.08.2020	**Exhibit 'M11'**
Declaration dated 15.11.2011	**Exhibit 'M12'**
copy of the order dated 24.02.2025 passed by Hon'ble High Court in CWP No.14990 of 2024	**Exhibit 'M13'**
Copy of the order dated 12.08.2025 passed by Hon'ble High Court in LPA No.1180 of 2025	**Exhibit 'M14'**

10. On 03.02.2026, none appeared on behalf of the workman and the case was fixed for today i.e. 10.02.2026 for awaiting appearance of the workman. Today also, neither the workman nor anyone on his behalf has appeared.

11. I have gone through the case file. In the case in hand, as per claim of the claimant-workman, he was seeking re-fixation of pay and claiming the arrears of pay on account of revision of pay as per the Majithia Wage Board recommendation along with interest. However, none has appeared on behalf of the workman on 03.02.2026 as well as today. It seems that the workman is not interested in perusing the matter. Accordingly, the industrial dispute in hand stands declined for want of prosecution. Appropriate Government be informed accordingly. File be consigned to records after due compliance.

(Sd.) . . .,

Dated : February 10, 2026

(MANISHA JAIN)
UID No.PB0158
PRESIDING OFFICER,
Industrial Tribunal & Labour Court,
Union Territory, Chandigarh

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CHANDIGARH ADMINISTRATION
LABOUR DEPARTMENT

Notification

The 1st April, 2026

No. 628526-HII(2)-2026/3643.—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL) dated 28.7.2004, the undersigned hereby publish the following award bearing reference **No. 82/2023 dated 17.02.2026** delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between :

BALWINDER SINGH S/O SH. JANAK SINGH, V.P.O. BEHLOPUR, DISTRICT MOHALI. (WORKMAN)

AND

M/S DESH SEWAK DAILY, SECTOR 29-D, CHANDIGARH THROUGH ITS GENERAL MANAGER. (MANAGEMENT)

AWARD

1. Workman Balwinder Singh has presented Industrial Dispute in hand under Section 2A(2) of the Industrial Disputes Act, 1947 *(here-in-after in short called 'ID Act').*

2. Briefly stated, on 07.04.2011 the workman was appointed by the management as Computer Operator in Computer Department. He remained in uninterrupted employment of the management up to 20.05.2020 when his services were illegally & wrongly terminated vide letter No.DS/2020/221 dated 20.05.2020 on the alleged charge of owing to illegal strike and for prolonged abandonment of service. At the time of termination, he was drawing ` 12,766/- per month as wages. He further stated that he received letter dated 11.02.2020 and 19.02.2020 on the alleged charge of illegal strike and show cause notice. The workman replied to the above said letters to the satisfaction of the management, which were duly received by the management. No charge sheet was issued, no inquiry was held and he was not paid retrenchment compensation at the time of termination. Violation of the same makes the termination void. Shri Sukhwinder Singh - Personnel Officer was not the competent person to terminate the services of the workman, being not Appointing Authority of the workman. The management has also illegally withheld the wages of all the employees for the month of January, 2020. The workman along with all other employees of the press through Union lodged a complaint with the Labour Inspector, U.T. Chandigarh regarding non-payment of wages for the month of January, 2020. The Representative of the management appeared before the Labour Inspector but refused to pay the wages. For his reinstatement, the workman served upon the management a demand notice dated 09.05.2023. The management neither replied to the demand notice nor took him back on duty. The Assistant Labour Commissioner-cum-Conciliation Officer, U.T. Chandigarh was requested for his intervention. No settlement could be made possible within the stipulated period. Action of the management whereby the services of the workman were terminated is illegal, wrong, motivated, against the principle of natural justice and unfair labour practice. He remained unemployed from the date of termination till date. A prayer is made that the workman may be reinstated with continuity of service, full back wages & all attendant benefits and without any change in his service conditions.

3. The management filed written reply to the claim statement submitting that the claim statement was nothing but an abuse of process of law. On 24.01.2020, the workman left his work to indulge himself in the unlawful strike, devoid of any discernible agenda, incited by an individual Ashok Kumar - Co-worker. The said action was very aggressive and with a sole intention to deliberately inflict harm upon the organisation and to pressurize the management to withdraw the inquiry / disciplinary proceedings to be conducted on serious allegations against Ashok Kumar and Surjit Singh. Despite numerous written and verbal requests extended to workman, urging his prompt return to work, they persisted in their refusal to do so. The workman along with other workers, obstructed the main gate creating a situation of intimidation where anyone attempting to enter

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would be met with repercussions. In order to address that issue promptly, the matter was formally reported to the Senior Superintendent of Police, Chandigarh vide letter dated 25.01.2020 with a copy of the same to the S.H.O., Industrial Area, Phase - I, Chandigarh. The said incident was also formally reported to the Deputy Commissioner, Chandigarh, who further marked it to Assistant Labour Commissioner, seeking immediate intervention. The said communication was documented vide Diary No.PA/DC 27.01.2020. It is submitted that a show-cause notice was issued to the workman on 11.02.2020 through registered post to show cause within one week of receipt of letter as to why his services should not be terminated for having indulged in misconduct, breach of contract of employment, breach of discipline and for causing incalculable losses. The workman chose not to file reply and voluntarily abandoned the service by remaining absent without any intimation, explanation or authorization. It is submitted that the workman continuously remained absent without authorization and a show-cause notice was again issued on 19.02.2020 through registered post granting him another opportunity to submit his explanation and to come present in the office of AGM, DeshSewak on 24.02.2020 but the workman did not pay any heed and continued to abscond and abandoning his duty. The management kept waiting for the workman to show-up for considerable long period of time for any responsible and interested employee to join back but the workman never came back and filed the present claim statement. Prayer was made for dismissal of the claim of the workman.

4. From the pleadings of the parties, following issues were framed vide order dated 14.08.2024 :-

1. Whether the termination the services of the workman is illegal ? If so, to what effect and what relief he is entitled to ?OPW

2. Whether the workman is estopped by his own act and conduct from filing the present claim statement ?OPM

3. Relief.

5. Thereafter, both the parties were called upon to lead their respective evidence.

6. In evidence of the workman, workman himself appeared as AW1 and tendered his affidavit Exhibit 'AW1/A' but failed to face cross-examine despite repeated several opportunities including last opportunities. Today i.e. on 09.02.2026 neither the workman nor anyone on his behalf has appeared before the Court.

7. I have gone through the case file. In the case in hand, as per claim of the claimant-workman, he was aggrieved that his services were terminated illegally by the management. However, none has appeared on behalf of the workman. As per record, the workman has failed to appear before the Court to pursue his case. It seems that the workman is not interested in perusing the matter. Accordingly, the industrial dispute in hand stands declined for want of prosecution. Appropriate Government be informed accordingly. File be consigned to records after due compliance.

(Sd.) . . .,

Dated : February 17, 2026

(MANISHA JAIN)
UID No.PB0158
PRESIDING OFFICER,
Industrial Tribunal & Labour Court,
Union Territory, Chandigarh

Secretary Labour,
Chandigarh Administration.

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CHANGE OF NAME

I, Kim Devi W/o Satypal, House No. 574, Sector 38 West Dadu Majra Chandigarh, have changed my name from Kim Devi to Kiran devi.

[915-1]

I, Sanjna W/o Parkash Singh R/o # 178, Khuda Lahora Chandigarh, have changed my name to Sanjana.

[916-1]

I, Karan S/o Deen Dayal # 3035-A, Mouli Jagran Complex, Chandigarh, have changed my name to Karan Kumar.

[917-1]

I, Rajinder Kumar S/o Sh. Om Parkash R/o # 2229, dadu Majra Colony, Chandigarh, have changed my name from rajinder Kumar to Rajinder Kumar Dravid.

[918-1]

I, Tara Pati Sharma S/o Khayshor R/o # 769, Sector 16-D, Chandigarh, have changed my name to Tara Pati.

[919-1]

I, Ram Vriksh S/o Jai Ram R/o # 1881, Sector 52, Chandigarh, I have changed my name from Ram Vriksh to Ram Naresh.

[920-1]

I, Chandra Vati W/o Med Singh H. No. 2096, Sector 52-D, Chandigarh, have change my name Chander Pati to Chandra Vati.

[921-1]

I, Subhash Chander S/o Badri Nath # 1280-B, Small Flats Dhanas Chandigarh, have changed my name to Subash Chandra.

[922-1]

I, tony Kumar S/o Tarsem Singh R/o House No. 2317, Ground Floor, Sector 28-C, Chandigarh, have changed my minor daughter name from Nimrit to Nimrit Chaudhary.

[923-1]

I, Surendar Singh S/o Jai singh R/o House No. 42, Sector 55, Palsora Chandigarh, have changed my minor son name from Baby Three of Hema Devi to Sourya Rawat.

[924-1]

I, Shakti Kumar S/o Sh. Hem Raj R/o ITBP, Behlana Camp, Chandigarh-160003, have changed my minor daughter's name from Shayri to Shanaya.

[925-1]

I, Rajinder Yadav s/o Mohan Yadav, House No. 157, Sector 52, Kajheri, Chandigarh, have changed my minor daughter name from Baby one of Kamlesh Yadav to Mannat.

[926-1]

I, Salman Ali S/o Haneef R/o # 347, Kajheri Sector 52, Chandigarh, have changed the name of my minor son from Sameer to Mohd Sameer.

[927-1]

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I, Rishi Pal s/o Chand Pal R/o # 443, Dadumajra Colony Sector 38 West Chandigarh, have changed my minor son name from Kairav to Kartik.

[928-1]

I, Ketki W/o Dharm Pal R/o # 196, Sector 21-A, Chandigarh, have changed my minor daughter name from Subhi to Surbhi.

[929-1]

I, Mato Devi W/o Rajesh Kumar # 358, Khudda Lahora, Chandigarh, have changed the name of my minor son from Arab Palsra to Aarav Palsra.

[930-1]

I, Aman Singh s/o Jatinder Singh R/o House No. 1537, Sector 20-B, Chandigarh, have changed my minor son name from Baby one of Amanpreet Kaur to Harkirat Singh.

[931-1]

I, Rakesh Kumar S/o Sanjeev Kumar, House No. 4, Food Laboratory, Sector 11, Chandigarh, have chanegd my minor son name from Baby of Dhanvesh to Riyansh kirt singh.

[932-1]

I, Manju Kumari W/o Laxman R/o House No. 872, Hallomajra, Chandigarh, have chanegd my name from Manju Kumari to Manju Bhatt.

[933-1]

I, Ritu Sharma D/o Gyanu Parshad W/o Dinesh Kumar # 215, Milk Colony, Dhanas, Chandigarh, have changed my minor son name from Baby of Ritu to Ansh Bahuguna.

[934-1]

I, Jashan Naggi S/o Ashwani Kumar R/o house No. 424, Sector 56-A, Chandigarh, have changed my name to Jashan Verma.

[935-1]

I, Afsana Khtna W/o Samsad Alam R/o House No. 109, Hallo Majra, Chandigarh, have changed my name to Afsana Khatoon.

[936-1]

I, Chaman B, W/o Shabbu R/o House No. 178, Sector 52, Kajheri Chandigarh, have changed my name to Chaman BI.

[937-1]

I, Shivcharan S/o Veer Chand, R/o House No. 3271, Sector 23-D, Chandigarh, declares that I have changed my name from Shivcharn to Shivcharan. All concerned may note.

[938-1]

I, Nimrta Sharma D/o Sh. Roop Lal W/o sh. Pankaj Goel, r/o House No. 2111/2, Sector 45-C, Chandigarh,-160047, have changed my name to Nimrta Goel.

[939-1]

I, Tulsi Negi W/o Shri Nandan Singh R/o H. No. 2161-A, Sector 20-C, Chandigarh, have changed my name from tulsi Negi to Tulsi Devi.

[940-1]

I, K.S Pathania S/o Basdev Singh R/o Khushhal Singh 5 Signal Bn CRPF Hallo Majra Chandigarh, have changed my name from K.S Pathania to Khushhal Singh.

[941-1]

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I, Santosh Chhabra S/o Late Shri Yashpal Chhabra R/o 271, Village Kishangarh, Chandigarh, (UT) 160101, have changed my minor son's naem from Himanshu Chhabra to Ansh Chhabra.

[942-1]

I, k Venka Desh s/o Kaliyan R/o House No. 6107, Maloya Colony, Chandigarh, have changed my minor daughter name from Kavya to V. Kavya.

[943-1]

I, Rajiv Kumar s/o Mahadev Shah R/o House No. 216, Mauli Jagran Chandigarh, have changed my minor son name from Baby two of Manisha to Anand.

[944-1]

I, Rajpal S/o Ramchandra R/o House No. 20, Shastri Nagar, Manimajra Chandigarh, have changed my minor son name from Ayush to Arush.

[945-1]

I, Shakir S/o Ali hussain R/o 1027, Mori Gate Manimajra Chandigarh, have changed my minor daughter name from Baby one of shaheena Parveen to Sana.

[946-1]

` I, Shiv Shakti s/o Subramaniyam R/o House No. 6100, Maloya Colony, Chandigarh, have chaneg my minor son name from Darshana to Dakshinamoorthi.

[947-1]

I, Sham Lal s/o Babu Lal # 133, Bapudham Colony, Sector 26, Chandigarh, have changed my minor son naem from Baby Three Usha to Manish Kumar.

[948-1]

I, Mohammad Ameen S/o Mohammad Asamali R/o House No. 380/7, Sector 52, Kajheri, Chandigarh, have changed my minor son name from Mohd Imran to Mohammad Imran.

[949-1]

I, Sanjit Paswan s/o Pargash Paswan r/o # 782/4, Gobindpura Manimajra Chandigarh, have changed my minor son name from Baby Three of Rinku Devi to Veer Paswan.

[950-1]

I, Manoj Kumar Gupta S/o Daroga Sah, house No. 514-C, Maloya Chandigarh, have changed my minor daughter name from Roshni Kumari to Roshni Kumari Gupta.

[951-1]

I, Deepinder Singh Deol S/o Kuldeep Singh Deol, H. No. 167, Sector 16-A, Chandigarh, have changed my minor son name from Baby of Ramandeep to Samarjeet Singh Deol.

[952-1]

I, Nanhe Lal s/o Sadhu Ram R/o House No. 20, Shastri Nagar, Manimajra Chandigarh, have changed my minor son name from Sachni to Sachin.

[953-1]

I, Lalit Son of Megh Raj, Resident of House No. 2010, Sector 52, Chandigarh, have changed my minor son naem from Riyansh to Riyansh Raaj.

[954-1]

I, Mudhani s/o Sita Ram *Alias* Shankar Singh # 403, Mauli Jagran Chandigarh, declare that I have changed my naem from Mudhani to Dharam Singh.

[955-1]

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I, Kudeep Singh S/o Govardhan, House No. 2913, Sector 49-D, Chandigarh, have changed name to Kuldeep Singh.

[956-1]

I, Pooja W/o Bhagwan dass Kashyap R/o House No. 466, Mauli Jagran Chandigarh, have changed my name from Pooja to Rajni.

[957-1]

I, Kusham Devi, W/o Lal singh R/o House No. # 812, New Indira Colony Manimajra Chandigarh, have changed my name to Kusum.

[958-1]

I, Priti Devi w/o Mohd Ashraf R/o 732/39, Bapudham Colony, Sector 26, Chandigarh, have changed my name from Priti Devi to Gulshan.

[959-1]

I, Surinder Kumar S/o Om Parkash R/o House No. 2129, Sector 15-C, Chandigarh, have changed my name from Surinder Kumar to Shivaay.

[960-1]

I, Dimpal D/o Surinder Kumar R/o House No. 3329, Banker Enclave, Sector 50-D, Chandigarh, have changed my name to Dimple.

[961-1]

I, Rajni Bala W/o Rajinder Kumar R/o 4, Village Mauli Jagran, Chandigarh, do have changed my name Rajani Bala to Rajni Devi.

[962-1]

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